

REMARKS/ARGUMENTS

Claims 1-6, 8-14 and 17-22 are presently pending in the current application. Claims 1, 9 and 17 are independent claims. Claims 1-5 and 8-14 are allowed, as indicated on page 6 of the Office Action dated July 9, 2010. Claims 9, 17 and 21 are amended. Applicant submits that all presently pending claims are in condition for allowance.

Claim Objections

Claims 7 and 9 were objected to for containing minor claim language informalities. Claim 7 has been cancelled and claim 9 was amended to overcome the objections to the claims. For example, claim 9 now recites a first instance of “a resource server system selection of controls” and a second instance of the same feature (as objected to by the Examiner for lacking antecedent basis) as reciting “the resource server system selection of controls.” Claim 9 recites clear antecedent basis for all of its respective claim recitations. Withdrawal of the rejection of claims 7 and 9 is respectfully requested.

Claim Rejections

Claim 21 was rejected under 35 USC 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner alleged that the “flow measurement system” in claim 21 is confused with the “monitor resource collector” in claim 17 since both claims recite performing a similar “generating statistic reports.” Applicant has amended claim 21 to clarify that the generating statistics reports are also generated by a flow measurement system. Therefore, there is no conflicting feature that performs the same function. Accordingly, Applicant submits that claim 21 is in accordance with claim 35 USC 112, second paragraph. Withdrawal of the rejection is kindly requested.

Claims 17-22 were rejected under 35 USC 103(a) as being unpatentable over Choi (2004/0109414) in view of Shin (2002/0138643). Applicant submits that newly amended claim 17 and those claims dependent thereon are in condition for allowance for at least the same reasons as independent claims 1 and 9.

Claim 17, as amended recites:

generating statistic reports by a monitor resource controller that ~~that--affect~~ affects the forwarding of packets in the packet router, and which operates as a real-time monitor executive;
controlling adaptation of the packet router to dynamic service requirements and resource conditions;

receiving adaptive selections of policies from the policy information database and distributing the generated statistics reports;

receiving data at a monitor data collector/data controller, where in the data is collected at observation points of a receiver..."

Applicant submits that the above-noted features of claim 17 are not taught or suggested by Choi, Shin or a combination thereof. Withdrawal of all outstanding rejections and an allowance of claims 17-22 is kindly requested.

It is believed that the foregoing amendment places the Application in condition for allowance; therefore, Applicant respectfully requests withdrawal of the Examiner's rejection of the claims and full allowance of same. Should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner contact the undersigned to expeditiously resolve any outstanding issues.

Respectfully submitted,

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